

THE KHASI

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should inherit the property and not men. The rule amongst the Khasis is that the youngest daughter "holds" the religion, "to let be when." Her house is called, "to stay away," and it is here that the members of the family assemble to witness her performance of the family communion. There is, therefore, the largest share of the family property, because it is the where duty it is to perform the family communion, and propitiate the family ancestors. The other daughters, however, on their mother's death are entitled, each of them, to a share of their mother's property, although the youngest daughter gets the lion's share, e.g. the family jewellery, and the family house, and the greater part of what is contained. The youngest daughter cannot dispose of the house without the unanimous consent of her sisters. If the youngest daughter dies, she is succeeded by the next youngest daughter, and so on. All the daughters are bound to repair the house of the youngest daughter free of cost. In the event of the youngest daughter changing her religion, or committing an act of sorcery, or treason, she loses her position in the family, and is succeeded by her next youngest sister, as in the case of a death. Failing daughters, inheritance would pass by the "bride's move" to the sister's youngest daughter, who would be succeeded by her youngest daughter, and so on. Failing sister's daughters succession would revert to the mother's sisters and their female descendants. In the Jaintia Hills the inheritance of all real property passes from mother to youngest daughter. No one in the Jaintia Hills can possess landed property, unless it is self-acquired property. In the Jaintia Hills, if a man dies and leaves acquired property, his heir will be his mother, if alive, excluding wife, sons, and daughters. If the wife, however, inheritance goes to no man, she will inherit half of her husband's property, which at her death will descend to her youngest daughter by him.

Amongst Khasis all property which has been acquired by a man before marriage is considered to belong to his mother; indeed it may be said to belong to the man's father, or sister, such property being called by Khasis, "to not stay her" (the earnings of the house of the sister). After marriage, if there are children, the case is different, provided that the property

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72/ has been acquired by the man after marriage. How the wife and children would inherit the acquired property, the youngest daughter claiming the largest share of such property on the death of the man. If there were no daughter, the acquired property would be equally divided amongst the sons.

121) The following examples of the System law of inheritance are taken from the collection of laws recorded by the late Mr. Smith, who was for some years Sub-Divisional Officer of Devol. In the English descently acquired land passes from mother to her youngest daughter; again, if a youngest daughter who has no acquired share, the next youngest in point of age succeeds. Should such direct female succession fail, the family line has to be looked up for the nearest branch, in which the youngest female, or her youngest female descendant, succeeds. Thus, regarding acquired land, the youngest daughter or youngest female descendant of youngest female heir, is virtually heir to unacquired property. If a woman dies leaving acquired property, her youngest daughter or youngest grand-daughter of that youngest daughter succeeds to all. In default, next youngest daughter, and so on. In default of daughters, the youngest son succeeds. A man can hardly, in any circumstances, possess unacquired land; his property must almost necessarily be self-acquired. If a man dies leaving acquired property, his heir will be his mother, if alive, excluding wife, sons, and daughters. If the wife survives, however, not to marry again, she will get half which will descend to her youngest daughter by her deceased husband. The mother who dies gets the whole or half of her son's property, leaves it to her youngest daughter or youngest daughter of that daughter, and so on, as described above in the case of a woman's husband's unacquired property. If there is no mother, the man's youngest sister succeeds next to him with the same right as her mother. If there is no mother or sister, then the man's female descendants stand in the man's mother's place. If there are none of these, then the man's youngest daughter succeeds to all. Unacquired property cannot be alienated without the consent of all the heirs in the entail. A gift of self-acquired property to any amount can be made by a donor during his lifetime. Acquired property cannot, however, be lost by will out of the course mentioned by

923 127 Things like this, and many others. It has been explained, in a previous paragraph, how the clan grew out of the family. The clan lands originally, when population was sparse, were owned by families, but as the numbers of the family increased and a clan was formed, the lands became the property of the clan instead of the family. Such clan lands are properly designated by some boundary marks. The manager of the clan lands is the *doi* (maternal uncle of the youngest daughter of the main family, or branch of the clan), whom home "to say *thaddid*," or last home, is the place for performing all the religious ceremonies of the clan, and is also called *to say was*. All the members of the clan see, however, entitled to share in the produce of any of the clan lands they may cultivate. No clan lands can be alienated without the consent of a division of the whole clan.

923 128 *Doi* lands are private lands which have been either acquired by a man or woman individually, or, in the case of a woman, inherited from her mother; such lands must be entirely distinguished from the lands of the clan. In portions of the Jaintia Hills, if a man purchases a piece of land, at his death it passes to his mother, to the exclusion of his children; but in the Khasi Hills nowadays a man may leave such lands, provided they were acquired after marriage, either formally by will, or informally, to his children for their support. He had customs as well as other customs the *Syntung* seem to preserve more closely than the Khasis what are probably the ancient usages of the race. It must be clearly understood, however, that all land acquired by inheritance must follow the Khasi law of descent, by which property descends from the mother to the youngest daughter, and again from the latter to her youngest daughter. Ancestral landed property must therefore be always owned by women. The male members of the family may cultivate such lands, but they must carry all the produce to the home of their mother, who will divide it amongst the members of the family. Daughters, other than youngest daughters, are entitled to maintenance from the produce of such family lands.

923 In the Jaintia Hills lands are classified as follows:—

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U lei leppah—the god of wealth. This god is propitiated with a view to obtaining increased prosperity.

U Haplow, or a *Bona shweg*, is the tutelary deity of the village. This godling is propitiated by sacrifices whenever they are thought to be necessary.

U Phaw a lypwad is a similar godling to the above.

Then follows a list of minor deities, or, rather, evil spirits, eg. *Ke Fih*, the material fever devil; *ke Khine*, the demon of children; *ke Dula*, the fever devil which is said to haunt the neighbourhood of Theringhat.

Blair says "the Khasi religion may be thus briefly defined as being used to cure diseases and to avert misfortunes, by ascertaining the name of the demon, as the author of the evil, and the kind of sacrifice necessary to appease it." We may accept this description as substantially correct. In the Jaintia Hills, there is a peculiar exposition regarding a *he Fawh*, called "*he Fawh*," which is supposed to cause delirium in cases of fever. When such cases occur, it is believed that "*he Fawh*" has caused them, and inquiries are made by means of breaking eggs to find out in whose person the demon has obtained a lodgment, or sometimes the sick person is asked to reveal this. When in either of these ways the name of the person possessed by "*he Fawh*" is known, the sick person is taken to the house of the possessed, and cakes and bits of broken pots are cast into the enclosure, after which, if the sick person recovers, the party indicated is denounced as possessed by the demon; but if the patient dies, it is concluded that the person possessed has not been properly exorcised. If people are satisfied that some one is really possessed, they denounce the person, who is then exorcised. The only way for him to regain his position is to exorcise the demon by divesting himself of all his property. He pulls down his house, burns the materials, his ~~clothes and all his other worldly goods~~ ^{clothes, tools, and} ~~lands, tools, and~~ ^{lands, tools, and} ~~herds are sold~~, the money realised by the sale being thrown away. No one dare touch this money, for he should become possessed by *he Fawh*. It will be observed that, as in the case of the *shin*, the demon is believed to follow the property.

Mr. Jenkins, in his interesting little work on "Life and

should not prevent individuals from becoming wealthy through midwifery 421
business and their trying to rent a part of their property for an annual 425
payment or for a sum needed once. This is called *han die pan*, literally: begging to buy. The sense of relinquishing by lending /133/ is contained in this. For example, a field is worth 300 reichsmarks, 100 or 150 reichsmarks are accepted for it and the creditor remains owner of the field until the money is repaid. This type of purchase occurs frequently. These are frequently traders (neighbourhood) who try to use such purchases to their own advantage. They turn over a field to the debtor for further cultivation in return for payment in advance of 10 to 20 per cent of the harvest. After several years the whole field is their property. Aside from this method, it also happens that instead of being able to repay the money the people need will rather burn. In that case then the entire price of 300 reichsmarks is paid and the actual purchase is considered completed, that is called *in die ha*, literally: totally, completely sold. A family-clan which actually loses its property in this manner descends into poverty and ruin. There is nothing else for it to do than to look for work elsewhere, to rent land or to sell the children as a kind of slaves to better-off people. If 40 reichsmarks are paid for a child of about 10 years, he remains in the bondage of the buyer until the money can be repaid. That happens only rarely. Besides food and the most necessary clothing only one rupee is deducted annually as wage from the purchase price; thus, practically, the child belongs to the buyer for a duration of his life. (34)

It is the duty of individual members of a family clan to work together so that the clan property will be maintained and will produce a necessary amount for the maintenance of all. The clan mother sees especially that the appropriate customs and usages are observed. This is held in high esteem by all. To do something against her wish to offend her, to call her insulting names, or to go as far as to strike her is considered *yang (pau)*, a serious crime that brings misfortune. It is a great sin (*pep*) and a thoroughly great disaster (*pep*) for the whole clan (?) As long as a member 43
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1. Also considered similar crimes are selling clan property in secret, stealing, despoiling burial places in a secret manner, making use of holy grounds or woods.

26/ of the family has committed such a crime and has not begged pardon from the clan mother and the elders of the clan, perhaps with words: pardon me, I have committed an error (the trap is again set

Because of her whole position as guardian of the inherited religion and customs, it is not frequent that such a woman breaks with the ancestral cult. If this does happen, it does not necessarily mean that she loses the entire property. That depends really on the position the other members of the family take. If they are all still firm heathens, who wish to have nothing to do with Christianity, they can force the clan mother to give everything up. The high respect for her is frequently so great, however, that either the whole clan or at least a part of it decides to take the same way and change religions with the clan mother. The part that remains heathen will certainly propose a division of the family property. This is also possible in other cases.

4. Division of the Family Property.

Although it is rare, the veil and woe of a family-clan can require that a family-clan be split into two clans and that a division of the common property be undertaken. The basis for this is if the family /*Seachleacht*/ becomes too big, if the elders in the family council /*MH*/ are no longer united and hate and revenge threaten to destroy, if a part of the clan /*Clan*/ tries to seize the better fields by violence and refuses to deliver the harvest for the common need, if one branch has brought the whole clan /*Clippe*/ dishonor and shame by false oaths, incest, revenge, treachery or some other serious crime. Only the guilty party will be excluded from the clan /*Clan*/ in such cases, if he remains stubborn and impudent. But if he begs for forgiveness with his life and participates in the expiatory sacrifice, forgiveness will not be refused him. But a certain inner tension and bad feeling often remains behind.

As the conversion to another religion, it often depends on how the clan mother and also the family elders are inclined towards the religion in question, and also on who is changing religions. If it is only heathens, sons, nephews, or grandsons, of the clan mother, a division is out of the question, since the men are not capable of inheriting. But if it is the youngest or next youngest daughter or even the sister of the clan mother, then a division of property can be undertaken. A clan mother after all is so attached to her child or her nearest blood relatives that she would not like to push them entirely away from herself unless she were completely set against the religion in question and engaged. If that should be so in individual cases, the heathen concerned will still consider, whether it is not more advisable to wait to change her religion until the clan mother has closed her eyes and she then has free play. That that which was mentioned at the conclusion of the previous section can occur,

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413 If after discussions lasting weeks all the problems involved have been settled, the agreements decided on are finally completed with the customary ceremonial. It was mentioned above, what objects for the religious cult are to be found in the hut of the clan mother. (72) The little basket plaited of bamboo cane, which is considered the special seat of the divine ancestors of the clan, /Clan/ is not divided. /808/ Another, similar basket is made. By sacrifice of goats and pigs, these divinities are then entrained so that a part of them may take up their dwelling in this basket for the protection of the newly constructed clan. If the sacrificial priest can announce the agreement of the deceased spirits with the divinities from the circle of the entrails of the animals and by egg throwing, then this basket is brought to the new clan hut. On another day one of the two basest pigs is then taken for the new hut with further sacrifices. Each of the two separated parties must furnish a new pig to go with the other one. In a like way the extinct sacrificial animals, such as rice baskets, mats, and gourd bottles are divided. With this ceremony the agreements made about the division of the other property are considered legally existent. Each party now goes his own way independent of the other. Certain relationships of friendship and kinship will remain in existence; however, the bar to marriage, which otherwise would make impossible the marriage between members of the same family clan without regard to the degree of relationship, is no longer in existence.

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416 If, at the conversion of one part of the members of the clan to the Christian religion, the division of property can be accomplished legally, it is better to insist on it. The members who have become Christian are more readily protected from disadvantageous treatment. Even if they should take part of the fields for themselves in separate management, the part of the clan that remained heathen could demand this back years later. Enmity, hate, and revenge would then follow. Without the formal ceremony combined with the sacrifices mentioned a Khasi does not recognize a division as legal. Since Christians cannot participate in such a sacrificial ceremony, there is nothing to do other than to have this ceremony undertaken while those seeking to be baptized are still catechumens. Before they are accepted then into the church by baptism, the heathen cult objects that were brought into the clan hut must be removed. "To /811/ this most important ceremony, "the missionary of the Synning mission, P. Benedictus Fisher B. D. S., once related, "I usually went myself if it was possible for me to or sent a European clerk of the Order. Thereby the ceremony acquired a great deal

[See category 86, pp 96 - 104, 105]

more solemnity and had a powerful effect on the heathen and the catechumens. The basket of the gods, the two stinks, the gourd bottles, and the other objects of the cult were carried to an open place in front of the hut, placed on a pile of bamboo canes and wood and then lighted by fire. The heathen stood at a respectful distance, fearful and trembling, and expecting that the gods would revenge themselves and destroy me with fire from heaven. But nothing of the kind happened, and disappointed and thoughtful they went back to their huts. The clan hut would then be blessed and sprinkled with holy water.

In general the Christian religions strive to settle their members in a village separated from the heathen clan members, and to settle them in such a way that the separate family clans remain together when possible. The christian customs, that husband, wife, and children then live together in one family is carried out when possible but, however it is not always done without difficulties in view of the traditional customs.

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